

CHRISTENSEN JAMES & MARTIN
KEVIN B. CHRISTENSEN, ESQ.
Nevada Bar No. 000175
DARYL E. MARTIN, ESQ.
Nevada Bar No. 006735
SARA D. COPE, ESQ.
Nevada Bar No. 10329
7440 W. Sahara Ave.
Las Vegas, NV 89117
Tel.: (702) 255-1718
Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EMPLOYEE PAINTERS' TRUST; NORTHERN NEVADA PAINTERS AND ALLIED TRADES JOINT APPRENTICESHIP AND TRAINING TRUST FUND, each acting by and through its designated fiduciary, Todd Koch; and INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES INDUSTRY PENSION TRUST FUND, acting by and through its designated fiduciary, Gary J. Meyers,

Plaintiffs,

SIMAS FLOOR COMPANY, INC., a Nevada Corporation; GAIL SIMAS WARD, an Individual; GREAT AMERICAN INSURANCE COMPANY, a foreign corporation; SIMAS FLOOR CO, INC., a California Corporation doing business as ROBERT SIMAS FLOOR CO.; JAMES EDWARD SIMAS, an Individual and Sole Proprietor doing business as J.E. SIMAS FLOORS; CARMICHAEL FLOOR COMPANY, a foreign corporation; PLATTE RIVER INSURANCE COMPANY, a foreign corporation; BISON CONSTRUCTION, a Nevada Corporation; BROWN CONSTRUCTION, INC., a foreign corporation; GLEN/MAR CONSTRUCTION, INC., a foreign corporation; K-W WESTERN, INC., a Nevada Corporation; K7 CONSTRUCTION, INC., a Nevada Corporation; FRANK LEPORI CONSTRUCTION, INC., a Nevada Corporation; PELLETT CONSTRUCTION, LLC, a Nevada limited liability company; SUNSERI CONSTRUCTION, INC., a foreign corporation; WESTERN SURETY COMPANY, foreign corporation; TRAVELERS

Case No.: 2:12-CV-00848-KJD-VCF

**NOTICE AND ORDER OF
VOLUNTARY DISMISSAL OF
DEFENDANT TRAVELERS
CASUALTY AND SURETY
COMPANY OF AMERICA
WITHOUT PREJUDICE AS TO
ITS SURETY BOND WITH
BISON CONSTRUCTION, BOND
NOS. SP8641 AND SP8617, ONLY
[FRCP 41(a)(2)]**

1 CASUALTY AND SURETY COMPANY OF
2 AMERICA, a foreign corporation; MYRON
3 MARTIN, an Individual; RHONDA MARTIN, an
4 Individual; THOMAS PELLETT, an Individual;
SABRINA PELLETT, an Individual; JOHN DOES
I - X; and ROES ENTITIES, I-X,

5 Defendants.

6 The above-named Plaintiffs, acting by and through their counsel, Christensen James &
7 Martin, pursuant to FRCP Rule 41(a)(2), do hereby dismiss its claims in the above-entitled action
8 without prejudice as against Defendant TRAVELERS CASUALTY & SURETY COMPANY
9 OF AMERICA as to surety bonds numbered SP8641 and SP8617, only, issued to Bison
10 Construction.

11 DATED this 13th day of August, 2012.

12 CHRISTENSEN JAMES & MARTIN

13 By: /s/ Sara D. Cope
14 Sara D. Cope, Esq.
15 Nevada Bar No. 10329
16 7440 W. Sahara Avenue
Las Vegas, NV 89117
Tel.: (702) 255-1718
17 Attorneys for Plaintiffs

18 IT IS SO ORDERED.

19 Dated this 17th day of Sept., 2012.

20 
21 DISTRICT COURT JUDGE